



# THE ATTORNEY GENERAL OF TEXAS

AUSTIN 11, TEXAS

JOHN BEN SHEPPERD  
ATTORNEY GENERAL

October 30, 1953

Mr. Walter Cousins, Jr.  
Secretary, Texas State  
Board of Pharmacy  
510 Interurban Bldg.  
Dallas, Texas

Opinion No. S-111

Re: Necessity that the word  
"Pharmacy" appear at  
front of store in which  
a registered pharmacist  
is employed.

Dear Mr. Cousins:

In your recent request for an opinion from this office, you asked for an interpretation of Section 15 of Article 4542a, Vernon's Civil Statutes. Section 15 reads:

"In all stores in which a registered pharmacist is continuously employed, and where the provisions of this Act have been fully complied with, there shall be displayed in a prominent place in or on the front of said store the word 'pharmacy'."

In substance, you ask if the word pharmacy should appear in or on the front of said store in lieu of appearing somewhere in the interior of the store.

"In" and "on" as used in Section 15 in the phrase "in or on the front" are prepositions modified by their object, the word "front." This prepositional phrase in turn is modified by the prepositional phrase "of said store." "In" and "on", as used in Section 15, are joined by the co-ordinate conjunction "or." When two such words are so joined, it means that either the one or the other may be applied to the situation, in this case, the prepositional object "front." Omitting for the present the word "on" as used in Section 15 and concerning ourselves with the word "in" as used in Section 15, the phrase in controversy in Section 15 will read "there shall be displayed in a prominent place in . . . the front of said store the word 'pharmacy'." Said phrase is too clear to admit of further construction. Obviously, in the front of the store means in clear, unencumbered view to persons approaching the store in question from the front. Should the preposition "on" be used in the phrase "there shall be displayed in a prominent place . . . on the front of said store the word pharmacy" the word

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pharmacy would clearly apply to an attachment on the front visible to all entering the store or building from the front.

SUMMARY

The phrase, "There shall be displayed in a prominent place in or on the front of said store the word 'Pharmacy'," as used in Article 4542a, Section 15, V.C.S., means that the word "Pharmacy" shall be displayed so as to be visible to people entering from the front of said store while they are in front of said store, and does not mean that the word "Pharmacy" shall be displayed in some interior location of the store.

Yours very truly,

JOHN BEN SHEPPERD  
Attorney General

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